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BY ECF

The Honorable Robyn F. Tarnofsky
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007

Re: *Khodakhah v. I*
No. 1:24-cv-00

Dear Judge Tarnofsky:

The parties application is GRANTED. The conference scheduled for April 16, 2024 is adjourned sine die.

The parties are directed to submit a joint status letter by **April 30, 2024** indicating whether Plaintiff wishes to amend his complaint; if so, the letter should contain a proposed deadline for the filing of an amended complaint and if not the letter should propose a briefing schedule for the anticipated motions to dismiss.

The Clerk of Court is respectfully directed to terminate ECF 30.

Dated: April 3, 2024
New York, NY

SO ORDERED:


ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE

We write on behalf of the parties in the above-captioned matter, and pursuant to this Court's Individual Rule I.E, to respectfully request that the Court adjourn the Initial Case Management Conference currently scheduled for April 16, 2024, as well as the associated April 9, 2024 deadline for the parties' Rule 26(a) initial disclosures and joint Report of Rule 26(f) Meeting and Proposed Case Management Plan, until after Defendants' forthcoming motions to dismiss the complaint have been adjudicated. This is the parties' first request for an adjournment, and all parties join in this request.

As an initial matter, counsel for Plaintiff has been on trial since March 11, 2024, and expects to continue to be on trial through at least the third week in April 2024. Accordingly, to date, counsel for Plaintiff has been unavailable to meaningfully address Rule 26(f) issues.

Nonetheless, the parties have conferred preliminarily. Defendants anticipate moving to dismiss the Complaint by the deadlines currently reflected on the docket—*i.e.*, May 13, 2024 for all defendants other than Dr. Tomaselli, whose time to answer is not until May 24, 2024. *See* ECF 20, 22. And, in accordance with this Court's Individual Rules III.A and III.D.1, the parties intend to timely confer on whether Plaintiff wishes to amend his Complaint and on a briefing schedule for the motions to dismiss. Once the parties have conferred—presumably later in April, once Plaintiff's counsel is no longer on trial—we will submit a proposed briefing schedule for the Court's consideration, as appropriate.

Respectfully submitted,


Gabrielle E. Tenzer